

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



May 12, 1989

ALL-COUNTY LETTER NO. 89-42

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: AFDC-FC ELIGIBILITY - 18 Year Old Children

REFERENCE: EAS 45-201.111 and EAS 42-101.2

The above referenced manual citations describe the requirements for continuing Aid To Families With Dependent Children - Foster Care (AFDC-FC) payments to eligible children up to age 19. The purpose of this letter is to provide County Welfare Departments (CWDs) with the State Department of Social Services (SDSS) policy statement regarding the high school educational requirements in order to correctly apply the above regulations.

AFDC-FC ELIGIBILITY, AGE 18

Eligibility and Assistance Standards (EAS) section 45-201.111 provides for continuation of AFDC-FC payments after a child in foster care reaches age 18 if several conditions are met; (1) the child was receiving AFDC-FC and attending high school or a vocational/technical training program on a full-time basis prior to reaching age 18, (2) continues to meet all AFDC-FC eligibility requirements, (3) resides in foster care, (4) attends on a full-time basis either a high school or, if the child has not completed high school, a vocational/technical training program which cannot result in a college degree, and (5) signs a mutual agreement to remain in foster care with the placing agency.

A child is considered to be attending on a full-time basis if the student is enrolled in a full-time program. Full-time enrollment is defined by the school. It is not the duty or function of the CWD to check on the school's standards or definitions in this area. The CWD must only verify that the child is enrolled on a full-time basis, and remains so enrolled.

HIGH SCHOOL PROGRAM REQUIREMENTS

The high school requirement focuses on the child's full-time enrollment in a high school program, and that the child's completion of that program is "reasonably" expected prior to reaching age 19. The program must result in a diploma or other appropriate certification of program completion. Enrollment in an adult school or independent studies program will qualify as long as the coursework is a high school program (i.e., fulfills high school requirements or leads to a high school diploma). Enrollment in a correspondence course does not meet the high school requirement.

The reasonable expectation ("reasonably be expected") which is required to maintain eligibility is the expectation of the school, not of the CWD. The CWD may check with the school as often as it deems necessary to ascertain the school's current assessment of the child's progress toward completion of the high school program. If the CWD believes that the child's poor attendance is reducing the probability that the child will be able to complete the program before age 19, it would be appropriate for the CWD to check with the school to determine if the school still has the reasonable expectation that the child will complete the program prior to age 19.

The reasonable expectation cannot be satisfied by a statement indicating a "possibility" of completion ("if the child works at it, they may be able to complete the program"). The regulation focuses on "expectation". This means that the school believes the completion will take place, and would be somewhat surprised if the child did not complete the program prior to age 19.

GENERAL EDUCATIONAL DEVELOPMENT (GED) EXAMINATION

Enrollment or participation in a GED preparation class does not automatically satisfy the high school program requirement. Classes terminating in a GED exam will meet AFDC-FC eligibility requirements if the child is enrolled full-time, the course of study is considered to be a high school program by the school and the child is expected to complete the program and successfully pass the examination prior to age 19. The reasonable expectation of completion criteria mentioned earlier are to be applied.

An 18 year old who has passed or passes the GED examination is considered to have completed a generally accepted equivalent of high school, and therefore does not continue to be eligible for AFDC-FC until age 19.

If you have any further questions concerning this issue, please contact your Foster Care Program analyst at (916) 445-0813.



ROBERT A. HOREL
Deputy Director
Welfare Program Division